

REMARKS

The Applicants would like to thank Examiner Muthuswamy Manoharan and Examiner Steve Dagosta for conducting a telephone interview with Ms. Terri S. Hughes, attorney of record, and Mr. Daniel Rokusek, co-inventor, on September 19, 2006.

Claims 1-3, 5-13, and 15-18 are pending in the application.

The amendments to the specifications have been made to correct the inconsistencies in the specification and claims, and are believed not to constitute new matter.

In responding to the Examiner's prior art rejections, the Applicants here only justify the patentability of the pending independent claims, i.e., claims 1 and 10. As the Examiner will appreciate, should these independent claims be patentable over the prior art, narrower dependent claims would also necessarily be patentable. Accordingly, the Applicants do not separately discuss the patentability of the dependent claims, although it reserves the right to do so at a later time if necessary.

Independent claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes, et al. (hereinafter Holmes) (USPN 6,636,749) in view of Lilja, et al. (hereinafter Lilja) (USPN 5,991,640). The Applicants, however, strongly disagree.

In short, the obviousness provision of 35 U.S.C. 103(a) denies patentability when "the differences between the subject matter sought to be patented and the prior art are such that the subject matter as whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." The Applicants assert that the combination of Holmes and Lilja fail to teach, suggest or make obvious the invention of the present invention.

The present disclosure enables a handset 102 to act as a hands-free/privacy accessory for the remote communication device *104 in a vehicle* via a wireless personal area network (WPAN). In an embodiment of the present disclosure, a communications session takes place through the remote communication device 104 and the handset 102, with the handset controlling the communications session *in the vehicle* and using the remote communications device as a bridge to access other devices outside of the range of the WPAN (page 6, lines 30-33).

The docking station is integrated within a vehicle. When the handset is coupled to the docking station *in the vehicle*, the handset determines that a docked condition exists, and routes the audio of the communication session through the docking station in the vehicle to create a

“hands-free mode” for the user (e.g., the driver of the vehicle). When the handset is not coupled to the docking station in the vehicle, the handset determines that an undocked condition exists, and routes the audio through the handset itself to create a “privacy mode” (page 5, lines 18-22). While in the “privacy mode”, the docking station plays no role in the communications session (page 7, lines 4-7), and the handset 102 allows the user privacy from others (e.g., other passengers in the vehicle).

In contrast, Holmes describes providing wireless protocol capability (e.g., Bluetooth) to a *charge cord*, therefore allowing a wireless device to acquire wireless protocol capability and electrical power from the same attachment (see col. 3, lines 8-13). Thus, Holmes merely discloses providing Bluetooth capability to a wireless phone that does not have Bluetooth capability in order to allow the wireless phone to couple to a Bluetooth device, such as a hands free car kit, via the Bluetooth protocol. Moreover, Holmes does not have a *handset* that is in communication with the *wireless phone* via WPAN. Thus, nowhere does Holmes teach, suggest, or make obvious initiating a communications session, wherein the communications session spans from the *handset* to a *remote communications device* using a WPAN communications link, and out from the remote communications device using a cellular link, where the audio component of the communication session is routed through the docking station of a vehicle if the handset is in the docked condition, and where the audio component of the communication session is routed through the *handset* if the *handset* is in the undocked condition.

Since the differences between the subject matter as claimed and the cited references are so clearly significant, the Applicants assert that the subject matter as a whole would not have been obvious to one of ordinary skill in the art at the time the invention was made. In accordance, the Applicants assert that the cited references fail to teach, suggest or make obvious the invention of the present application. Reconsideration and allowance of the claims 1-18 is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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